IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPEAL NO. 33 OF 2004

S T A T E
Through Public Prosecutor,
High Court of Bombay at
Panaji. ... Appellant

versus

Smt. Nirmala D'Mello
R/o Flat No.S-4,
Sunrise Building,
Bainguinim-Old Goa,
Ilhas, Goa. ... Respondents

Mr. S. N. Sardessai, Public Prosecutor for the Appellant.

Ms. Shreya Naik, Advocate for the Respondent.

CORAM : N. A. BRITTO, J.

DATE : 24TH AUGUST, 2005.

P.C.:-

For reasons separately recorded, as a result of the above discussion, the Appeal deserves to succeed. The Judgment/Order of the learned J.M.F.C.,Mapusa is hereby set

aside and the Accused is convicted under Sections 279, 337 I.P.C.

After hearing both the parties, the Accused is directed to pay a fine of Rs.3000/- under Section 279 I.P.C. and Rs.2000/- under Section 337 I.P.C. In default to undergo S.I. for one month. In case the fine is realised a sum of Rs.1000/- each shall be paid to P.W.1, Sriram Dhargalkar and P.W.2, Anjali Dhargalkar respectively.

N. A. BRITTO, J.

RD.